

TURNER & MEDE, P.C.
Terrance A. Turner
Co-Counsel for defendant and counterclaimant
Tanadgusix Corporation
1500 West 33rd Avenue, Suite 200
Anchorage, Alaska 99503-3502
Telephone: (907) 276-3963
Fax: (907) 277-3695
Email: tturner@turnermede.com

LAW OFFICE OF DOUGLAS F. STRANDBERG
Douglas F. Strandberg
Co-Counsel for defendant and counterclaimant
Tanadgusix Corporation
P. O. Box 547
Friday Harbor, Washington 98250
Telephone: (360) 378-3390
Fax: (360) 378-3490
Email: dfslaw@rockisland.com

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA
AT ANCHORAGE

CITY OF SAINT PAUL, a municipal corporation,)	
)	
Plaintiff,)	
)	No. 3:97-cv-0181 HRH
vs.)	
DONALD EVANS, Secretary of the United States Department of Commerce, and CONRAD C. LAUTENBACHER, JR., Administrator, National Oceanic and Atmospheric Administration, and TANADGUSIX CORPORATION, an Alaska corporation,)	
)	
Defendant.)	
)	
)	
)	

**UNOPPOSED MOTION BY DEFENDANT
AND COUNTERCLAIMANT TANADGUSIX
CORPORATION MODIFYING DEADLINES
IN SCHEDULING ORDER FOR DAMAGES
AND REMEDIES PHASE OF CASE**

Defendant and counterclaimant Tanadgusix Corporation ("TDX"), by and through its attorneys of record, Turner & Mede, P.C. and Law Office of Douglas F. Strandberg, P.S., hereby moves for the entry of the attached modified scheduling order. Such

motion has been discussed with the attorneys for plaintiff and counterdefendant City of Saint Paul ("City") and is unopposed by the City.

The modified scheduling order sought by this unopposed motion changes the deadlines by which (a) expert designations are to be served from November 28, 2007 to May 28, 2008, (b) expert reports are to be served from March 28, 2008 to September 29, 2008, (c) lay witness discovery completion from March 28, 2008 to September 29, 2008, (d) expert witness discovery completion from May 28, 2008 to November 28, 2008, (e) filing of discovery motions from June 29, 2008 to December 29, 2008, and (f) filing of summary judgment motions, *in limine* motions and motions for ruling on the law of the case from May 28, 2008 to November 28, 2008.

The reason for this unopposed motion is that the City and TDX are still currently engaged in settlement negotiations. Such negotiations involve complex land issues and require considerable coordination among the parties and their consultants. The City and TDX believe such negotiations will be materially aided by such extensions.

The parties have recently made considerable progress in their settlement negotiations. Proceeding on the basis that the best way to resolve complex upland, tideland, and access issues on Saint Paul Island, especially the Harbor area, is for TDX and the City to agree on subdivisions of land in the Harbor area and to locate all existing utilities, they have exchanged several

comprehensive draft settlement proposals which have significantly narrowed their differences.

In addition, effective October 31, 2008 the City, TDX, and the Aleut Community of Saint Paul Island (the "Tribe") entered in to an Agreement for the Small Boat Harbor Project - Saint Paul Island, Alaska, which (a) finally resolved several important tideland and upland issues in the pending litigation and (b) provided for TDX' transfer to the City of several property interests required by the Army Corps of Engineers for construction of a new Small Boat Harbor by the Corps.

While the City and TDX believe that the Small Boat Harbor Agreement has resolved some of the most difficult issues in the pending litigation, the City and TDX believe that they will need another six months of efforts to determine if a complete settlement can be achieved without further involvement of the Court. So, by this unopposed motion by TDX, they are seeking a six-month extension of each present pretrial deadline.

This unopposed motion does not affect any rights or obligations of the only other parties in this case, the Federal Defendants. As a result, it should be granted by the Court forthwith.

RESPECTFULLY SUBMITTED at Anchorage, Alaska, this 10th day of January, 2008.

TURNER & MEDE, P.C.
Co-counsel for Defendant and
Counterclaimant, Tanadgusix Corporation

s/ Terrance A. Turner
Turner & Mede, P.C.
1500 W. 33rd Avenue, Suite 200
Anchorage, AK 99503-3502
Phone: 907-276-3963
Fax: 907-277-3695
E-Mail: tturner@turnermede.com
Alaska Bar No. 7410113

LAW OFFICES OF DOUGLAS F. STRANDBERG
Co-counsel for Defendant, Tanadgusix
Corporation

Certificate of Service

This is to certify that on this 10th day of
January, 2008, a copy of the foregoing was served
Electronically on:

Department of Justice
Environmental & Natural Resources Division
Attn: Dean K. Dunsmore
801 "B" Street, Suite 504
Anchorage, AK 99501-3657

Law Office of Douglas F. Strandberg
Attn: Douglas F. Strandberg
562 Primrose Lane
Friday Harbor, WA 98250

Pepper Hamilton, LLP
Attn: Charles H. Carpenter
Stephen M. Truitt
Hamilton Square, Suite 500
600 Fourteenth Street NW
Washington, DC 20005-2004

Office of Ronald L. Baird
Attn: Ronald L. Baird
P. O. Box 100440
Anchorage, AK 99510-0440

/s Terrance A. Turner